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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,817	01/03/2001	Shunpei Yamazaki	12732-003001/US4564	9971
26171	7590	12/15/2006	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			KUMAR, SRILAKSHMI K	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,817

Applicant(s)

YAMAZAKI ET AL.

Examiner

Srilakshmi K. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following office action is in response to the amendment filed September 18, 2006. Claims 5-39 are pending. Claims 5, 13, 18, 23, 29, and 34 have been amended.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 5, 7-10, 12,13-15, 17-20, 22-26, 28-31, 33-37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US 6,265,833) in view of Ikeda et al (US 5,714,968).

As to independent claim 5, Kim et al teach a display system comprising; a plurality of pixels; each of said plurality of pixels comprising at least an EL element (col. 1, lines 10-16, col. 9, lines 57-63); a sensor for obtaining an information signal of an environment (Fig. 1, item 1), a CPU for converting said information signal of the environment supplied from said sensor into a

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correction signal (Fig. 1, item 3), and a voltage changer for changing a corrected potential applied to the EL element based on said correction signal (Fig. 1, item 4); an EL driving power source connected to said voltage changer (Fig. 3). Kim et al do not disclose the details of the EL display device. Kim et al do not disclose wherein the EL element has a first electrode and a second electrode. Kim et al do not disclose wherein said voltage changer is electrically connected to the second electrode of the EL element via a switch nor wherein the first electrode of the EL element is electrically connected to a power supply line. Ikeda teaches wherein the EL element comprises a first electrode and a second electrode in Fig. 10, item 21. Ikeda teaches the voltage changer (34) is electrically connected to the second electrode of the EL element via a switch (22) (see figure 10). In Fig. 5, item 1, and col. 6, line 64-col. 7, line 12, Ikeda teaches wherein the first electrode of the EL element is electrically connected to a power supply line (25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the active EL matrix display details as illustrated by Ikeda when implementing the system items 4 and 5 of Kim et al because Kim et al lacks these specific manufacturing details directed towards the actual EL circuit within the display therefore one of ordinary skill would have been motivated to simply use Ikeda's active matrix to the display device of Kim because active matrix display device of Ikeda is capable of prolonging light emission of the light emitting elements, thereby protecting the user from having to view a display where the light flickers (col. 2, lines 7-13 of Ikeda).

As to claim 7 and 14, the combination of Kim et al and Ikeda teaches a display system according to claim 5, further comprising, Kim et al disclose wherein said plurality of pixels, said sensor, said CPU and said voltage changer are formed on a same substrate (Fig. 1 illustrates all

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the claimed pads in one illustration it is obvious that they are capable of sharing a common substrate while enclosed above said common surface of an enclosure).

As to claim 8, the combination of Kim et al. and Ikeda teach a display system according to claim 5, further comprising, Kim et al disclose wherein said EL element comprises an organic material or an inorganic material (Fig. 1, item 5, col. 1, lines 10-15).

As to claims 9, 12, 17, limitations of claims 5 and 10, Kim et al disclose wherein said display system is incorporated in one selected from the group consisting of a video camera, a digital camera, a head mount display, a car navigation system, a portable telephone, an image reproduction apparatus, a car audio equipment, and a personal computer (col. 10, lines 21-34 and further these specific uses of the display are viewed as merely being recitations directed towards an OBVIOUS INTENDED USE of the display).

As to claim 13, limitations of claims, 5 and 12, Kim et al do not disclose wherein an EL element comprising at least an EL layer between an anode and a cathode, one of said anode and said cathode being electrically connected to said active layer. Ikeda discloses wherein an EL element comprising at least an EL layer between an anode and a cathode, one of said anode and said cathode being electrically connected to said active layer in Figs. 12 and 16, col. 10, lines 33- col. 11, line 20.

As to claim 15, limitations of claim 13, and further comprising, Kim et al disclose wherein said sensor comprises a CCD or a photo diode (Fig. 1, item 1, an optical sensor responsive to light).

As to claims 18-20, 22-24, 26, 28-31, 33, 35, 37 and 39, the combination of Kim et al and Ikeda were shown above to read on these limitations.

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As to claims 25 and 36, Kim et al disclose an A/D converter interposed between said sensor and said CPU, and a D/A converter interposed between said CPU and said voltage changer (Fig. 1, the CPU controller uses A/D for it's input and D/A for its output while interacting with analog devices.)

4. Claims 6, 11, 16, 21, 27, 32 and 38 rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al in view of Ikeda as applied to claims 5, 10, 13, 18, 23, 29, and 34 above, and further in view of Poulton (US 5,702,323).

As to claims 6, 11, 16, 21, 27, 32 and 38, Kim et al and Ikeda do not teach wherein said information signal comprises a user's living body information. Poulton teaches wherein said information signal comprises a user's living body information (abstract, Fig. 5, item 230, col. 2, lines 48-57, col. 4, lines 3-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the optical sensor item 1 as illustrated by Kim to also keep track of body pads position as done by Poulton when implementing the system item 1 of Kim et al because this limitation is merely directed towards an OBVIOUS INTENDED USE, of the combination of Kim et al and Ikeda et al as illustrated by Poulton, and further, Poulton gives motivation in col. 1, lines 5-10 for modifying the use of the Kim item 1 which Poulton provided a further illustration of an additional "use" for the information given by an optical sensor.

Response to Arguments

5. Applicant's arguments filed September 18, 2006 have been fully considered but they are not persuasive.

With respect to applicants arguments in regards to where Kim or Ikeda fail to teach where a voltage changer is connected to an electrode of a EL element via a switch where the

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other electrode of the EL element is connected to a power supply line, Examiner, respectfully, disagrees. Ikeda discloses Ikeda teaches the voltage changer (34) is electrically connected to the second electrode of the EL element via a switch (22) (see figure 10). In Fig. 5, item 1, and col. 6, line 64-col. 7, line 12, Ikeda teaches wherein the first electrode of the EL element is electrically connected to a power supply line (25). Applicant argues where the combination of Kim in view of Ikeda do not describe or suggest "a voltage changer for changing a corrected potential applied to the EL element based on said correction signal". Applicant further argues "while the rejection indicates that a resistance component of a common electrode 34 of Ikeda corresponds to the recited voltage changer, the common electrode 34 does not serve to change a potential of the EL element 20, 21."

Examiner, respectfully, disagrees. While Ikeda discloses the electrical connections, Kim et al disclose in col. 5, lines 9-22, where the voltage changer changes a corrected potential applied to the EL element based on said correction signal where the voltage is changed dependent upon the current changes. As shown in the above rejection, the combination of Kim et al in view of Ikeda et al fully disclose the limitations claimed by the applicant in the application.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 9:00 am to 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Srilakshmi K. Kumar
Examiner
Art Unit 2629

SKK

DEC. 8, 2004